

Deficiency Payment Under 37 C.F.R. 1.28(c)  
Application Serial No.: 09/747,651  
Attorney Docket No.: 031792-0311567 (24122-379)

Customer No.: 00909

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DIVISION  
TJW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 FEB 23 AM

RE PATENT  
APPLICATION OF: Eugene J. ROLLINS, *et al.*  
SERIAL NO.: 09/747,651  
ATTORNEY  
DOCKET NO: 031792-0311567 (24122-379)  
FILING DATE: December 22, 2000  
ART UNIT: 3676  
EXAMINER Michael J. Kyle  
FOR: Pre-Filing Order Forms for Transactions Over a Communications  
Network

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OFFICE OF PETITIONS

DEFICIENCY PAYMENT UNDER 37 C.F.R. 1.28(c)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is being submitted to address a good faith error in payment of small entity fees.

When this application was filed, a large entity filing fee was paid under 37 C.F.R. §1.16(a) and no statement of entitlement to small entity status was submitted under 37 C.F.R. §1.27(c)(1). After filing, a small entity fee was erroneously paid (as detailed in Appendix A) with a good faith belief that this application was entitled to small entity status.

Pursuant to 37 C.F.R. §1.28(c), Applicants request that the Commissioner excuse the good faith error in payment of small entity fees and charge the deficiency payment of \$575.00 to Deposit Account No.: 033975 (Ref. No. 031792-0311567). Pursuant to 37 C.F.R. §1.28(c)(2)(ii), an itemization of the deficiency payment is also included herein in Appendix A.

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If a determination is made that additional fees are necessary for the payment of deficiency fees or for other reasons, the Director is further authorized to charge such fees to our Deposit Account No.: 033975 (Ref. No. 031792-0311567).

Date: February 18, 2005

Respectfully submitted,

By:

  
Bradford C. Blaise  
Registration No. 47,429

**Customer No. 00909**

PILLSBURY WINTHROP LLP  
P.O. Box 10500  
McLean, Virginia 22102  
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## APPENDIX A

### Itemization of Deficiency Payments

DEFICIENT PAYMENT	TYPE OF FEE ERRONEOUSLY PAID AS SMALL ENTITY	CURRENT FEE FOR NON- SMALL ENTITY	SMALL ENTITY FEE ACTUALLY PAID	DATE SMALL ENTITY FEE PAID	DEFICIENCY OWED
	37 C.F.R. 1.28(c)(2)(ii)(A)	37 C.F.R. 1.28(c)(2)(ii)(A)	37 C.F.R. 1.28(c)(2)(ii)(B)	37 C.F.R. 1.28(c)(2)(ii)(B)	37 C.F.R. 1.28(c)(2)(ii)(C)
FIRST DEFICIENT PAYMENT	Application Processing Fee: Two Month Extension of Time Under 37 CFR §1.17(a)(2)	\$450.00	\$210.00	Notice of Appeal, Submitted: September 7, 2004	\$450.00 - \$210.00 = <b><u>\$240.00</u></b>
SECOND DEFICIENT PAYMENT	Notice of Appeal Under 37 CFR §1.17(b)	\$500.00	\$165.00	Notice of Appeal, Submitted: September 7, 2004	\$500.00 - \$165.00 = <b><u>\$335.00</u></b>
TOTAL DEFICIENCY PAYMENT OWED 37 C.F.R. 1.28(c)(2)(ii)(D)	\$240.00 + \$335.00 = <b><u>\$575.00</u></b> total Deficiency Owed				